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9 *Attorneys for Defendant*
10 *Bask Technology, Inc.*

11 FERERRI D'ANGELO, individually
12 and on behalf of all others similarly
13 situated,

14 Plaintiff,

15 v.

16 BASK TECHNOLOGY, INC. (formerly
17 named ITOK, INC.), a corporation; and
18 FIELD NATION, LLC, a limited
liability company,

19 Defendants.

20 Case No. 15cv1899-CAB-MDD

21 **REQUEST FOR ORAL**
22 **ARGUMENT ON PLAINTIFF'S**
23 **MOTION FOR CONDITIONAL**
24 **COLLECTIVE ACTION**
25 **CERTIFICATION AND NOTICE**
26 **PURSUANT TO 29 U.S.C. § 216(B)**

27 Hon. Cathy Ann Bencivengo

28 Magistrate Judge
Hon. Mitchell D. Dembin

1 Defendant Bask Technology, Inc. (“Bask”) hereby submits this Request for
2 Oral Argument related to Plaintiff’s Motion for Conditional Collective Action
3 Certification and Notice Pursuant to 29 U.S.C. § 216(b). This request is made
4 pursuant to section II.B of the Civil Case Procedures of the Honorable Cathy Ann
5 Bencivengo.

6 Bask believes that oral argument would be helpful for the Court in
7 determining Plaintiff’s Motion as it seeks somewhat extraordinary, and certainly
8 significant, nationwide conditional class certification related to independent
9 contractors of several third-party entities. None of the individuals Plaintiff
10 purports to represent/have certified as a class are actually employees of Bask and
11 Bask lacks much of the personal contact information sought by Plaintiff, which
12 could be better explained at oral argument. The nuances and differences of the
13 circumstances of the proposed nationwide potential class are significant and
14 difficult to explain by briefing alone. The various relationships between Plaintiff,
15 other independent contractors, the third-party entities with which the potential class
16 contracted, and then the contractual service relationships between those third-
17 parties and Bask are central to the Court’s decision—and Bask believes that
18 discussing those factual matters in oral argument would be helpful for the Court.
19 Therefore, Bask is requesting oral argument.

20 Counsel for Bask would be available for hearing on the noticed motion date
21 of March 30, 2016. If the Court determines to grant this request and set a different
22 date, Bask would like to inform the Court that its counsel is not available from
23 March 31, 2016 through April 10, 2016, and also not available April 13-15, 2016.
24 Currently those are the unavailable dates for Bask’s counsel.

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28 Bask appreciates the Court considering this Request for Oral Argument.

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2 Dated this 17th day of March, 2016.

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4 HOLLAND & HART LLP

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6 /s/ Bryan K. Benard

7 Bryan K. Benard

8 Holland & Hart LLP

9 Attorneys for Defendant iTOK, Inc.

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CERTIFICATE OF SERVICE

I, Melissa Thurgood, hereby certify that on March 17, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record registered with the CM/ECF system.

/s/ Melissa Thurgood

Melissa Thurgood

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